

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 23-162

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Judge:

Complainant:

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**ORDER**

October 24, 2023

The Complainant alleged a superior court commissioner did not rule on a motion within 60 days in a probate case.

The role of the Commission on Judicial Conduct is to impartially determine whether a judicial officer has engaged in conduct that violates the Arizona Code of Judicial Conduct or Article 6.1 of the Arizona Constitution. There must be clear and convincing evidence of such a violation in order for the Commission to take disciplinary action against a judicial officer.

The Commission reviewed all relevant available information and concluded there was not clear and convincing evidence of ethical misconduct in this matter. Complainant filed paper copies with the clerk of the court, which alone does not trigger notification to the assigned judicial officer. There was no evidence courtesy copies of any of the pleadings were provided to the assigned judicial officer as required by Rule 15(h), Arizona Rules of Probate Procedure. The complaint is therefore dismissed pursuant to Commission Rules 16(a) and 23(a).

Commission members Barbara Brown, Joseph C. Kreamer, and Christopher P. Staring did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on October 24, 2023.

**CONFIDENTIAL**

Arizona Commission on Judicial Conduct  
1501 W. Washington Street, Suite 229  
Phoenix, Arizona 85007

**FOR OFFICE USE ONLY**

2023-162

**COMPLAINT AGAINST A JUDGE**

Name:  Judge's Name:

**Instructions:** Use this form or plain paper of the same size to file a complaint. Describe in your own words what you believe the judge did that constitutes judicial misconduct. Be specific and list all of the names, dates, times, and places that will help the commission understand your concerns. Additional pages may be attached along with copies (not originals) of relevant court documents. Please complete one side of the paper only, and keep a copy of the complaint for your records.

On \_\_\_\_\_ I filed a Motion to Reopen this probate.

The judge did not act on the Motion.

I waited an extra-long response time, plus \_\_\_\_\_ days, as is appropriate.

On \_\_\_\_\_, I notified the Court that the matter was still pending and that the Court had not ruled by my Motion. I filed a Request for Hearing on the \_\_\_\_\_ Motion.

I waited a month. The judge did not act.

On \_\_\_\_\_, I filed a Second Request for Hearing, again notifying the Court about the status of the case and the need to move forward.

The judge did not act.

Because another month had gone by with no response from the Court, I intended to file a Third Request for Hearing. However, because the Court is ignoring my first two requests, I am confident that filing a third requests will be a waste of my time and a waste of my client's money.

I need someone to help get this case moving. The judge won't do it.